

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATIONWIDE MUTUAL FIRE :  
INSURANCE CO., :  
Plaintiff, : CIVIL ACTION  
v. : NO. 10-2410  
FRANCIS MALOFIY, :  
Defendant. :  
:

**ORDER**

**AND NOW**, this 22nd day of March 2011, upon consideration of Plaintiff's Motion for Judgment on the Pleadings (Doc. No. 21), Defendant's Response and Brief in Opposition (Doc. Nos. 25, 26), the Supplemental Briefs of both parties (Doc. Nos. 29, 31), the Homeowner's Insurance Policy issued to the parents of Defendant (Doc. No. 3-1), and the complaint filed in the civil action filed against Defendant in the Court of Common Pleas of Philadelphia County ("Underlying Civil Action") (Doc. No. 3-3), and after oral argument held on February 9, 2011, it is **ORDERED** that:

1. Plaintiff's Motion for Judgment on the Pleadings is **GRANTED**.
2. The Clerk of Court shall **ENTER JUDGMENT** in favor of Plaintiff and against Defendant. It is the judgment of the Court that Plaintiff has no duty to defend nor indemnify Defendant in the Underlying Civil Action.
3. The Clerk of Court shall close the case.

BY THE COURT:

/s/ Joel H. Slomsky, J.  
JOEL H. SLOMSKY, J.